United States Court of AppealsFOR THE EIGHTH CIRCUIT

No. 99-2592 Gregory D. Graves, * Appellant, * v. Larry May, Warden, North Central Unit, Arkansas Department of Correction; Jeff Dean, Lieutenant, * North Central Unit, Arkansas Appeal from the United States * Department of Correction; District Court for the Lindy Greene, Sgt., Port/Security, * Eastern District of Arkansas. North Central Unit; John Belken, Assistant Warden, North Central Unit, * Arkansas Department Correction; James Arnold, Sgt., Field/Squad Rider, North Central Unit, Arkansas Department of Correction, Appellees.

> Submitted: November 3, 1999 Filed: December 3, 1999

> > _____

Before McMILLIAN, RICHARD S. ARNOLD, and HANSEN, Circuit Judges.

PER CURIAM.

Gregory Graves, an Arkansas inmate, appeals from the district court's¹ grant of summary judgment in favor of defendants in his 42 U.S.C. § 1983 case. Having carefully reviewed the record and the parties' briefs, we conclude that the district court properly granted summary judgment, as Graves did not produce evidence that defendants knowingly compelled him to perform physical labor that was beyond his strength, dangerous, or unduly painful. See Choate v. Lockhart, 7 F.3d 1370, 1374 (8th Cir. 1993).

Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Henry L. Jones, United States Magistrate Judge for the Eastern District of Arkansas, to whom the case was referred for final disposition by consent of the parties pursuant to 28 U.S.C. § 636(c).